

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

UNITED STATES OF AMERICA)	
)	Case No. 1:09-CR-123-001
v.)	
)	Chief Judge Curtis L. Collier
GREGORY A. MERCER)	
)	

ORDER

The Court has received a Report and Recommendation (“R&R”) from United States Magistrate Judge Susan K. Lee, recommending Defendant Gregory A. Mercer (“Defendant”) be found competent to stand trial (Court File No. 465). The Court has also received a forensic report on Defendant’s mental health evaluation from the Federal Bureau of Prisons (Court File No. 450). The findings in the evaluation were that Defendant is competent to stand trial and is not currently suffering from a mental disease or defect rendering him incompetent to the extent he is unable to understand the nature and consequences of the proceedings filed against him or assist properly in his own defense. The findings regarding Defendant’s sanity were that he was sane at the time the alleged offense took place, and he did not suffer from any mental illness that interfered with his ability to appreciate the nature or wrongfulness of his actions. On July 19, 2010, Defendant filed a signed Waiver of Competency Hearing with this Court (Court File No. 454).

Based upon this information, the Court **ACCEPTS** and **ADOPTS** Magistrate Judge Lee’s R&R (Court File No. 465), pursuant to 28 U.S.C. § 636(b)(1), and **DETERMINES** Defendant is competent to stand trial.

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE